

HOUSE BILL 540

M2

11r0417

By: **Montgomery County Delegation**

Introduced and read first time: February 8, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Leghold or Body–Gripping Traps – Prohibition**

3 **MC 8–11**

4 FOR the purpose of expanding the application of the prohibition against the use,
5 setting, placement, or maintenance of a leghold or body–gripping trap in
6 Montgomery County; making a certain technical correction; making a stylistic
7 change; and generally relating to the leghold or body–gripping trap prohibition
8 in Montgomery County.

9 BY repealing and reenacting, with amendments,
10 Article – Natural Resources
11 Section 10–410(o)
12 Annotated Code of Maryland
13 (2007 Replacement Volume and 2010 Supplement)

14 BY adding to
15 Article – Natural Resources
16 Section 10–410(o–1)
17 Annotated Code of Maryland
18 (2007 Replacement Volume and 2010 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Natural Resources**

22 10–410.

23 (o) (1) In Anne Arundel, Baltimore, Howard, [Montgomery,] and Prince
24 George’s counties, a person may not use, set, place, or maintain any steel jaw leghold

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 trap on land. The steel jaw leghold trap may be used for the capture of fur-bearing
2 mammals in water only.

3 (2) This subsection does not apply to:

4 (i) Traps set on farmland by the owner of the farmland, by the
5 owner's agent or tenant, owner's lessee, or by any member of the owner's or tenant's
6 immediate family who resides on the farmland; or

7 (ii) Traps set by an authorized agent of the [Maryland Forest,
8 Park and Wildlife Service] DEPARTMENT who exercises the [agent's] duties OF THE
9 AGENT for wildlife control under guidelines established by the Department.

10 (O-1) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IN
11 MONTGOMERY COUNTY A PERSON MAY NOT USE, SET, PLACE, OR MAINTAIN A
12 LEGHOLD OR BODY-GRIPPING TRAP.

13 (2) THIS SUBSECTION DOES NOT APPLY TO:

14 (I) TRAPS SET ON FARMLAND, CONSISTENT WITH BEST
15 MANAGEMENT PRACTICES ESTABLISHED BY THE DEPARTMENT, BY THE OWNER
16 OF THE FARMLAND, AN AGENT, A TENANT, OR A LESSEE OF THE OWNER OR AN
17 IMMEDIATE FAMILY MEMBER WHO RESIDES ON THE FARMLAND OF THE OWNER,
18 TENANT, OR LESSEE; OR

19 (II) TRAPS SET BY AN AUTHORIZED AGENT OF THE
20 DEPARTMENT WHO EXERCISES THE DUTIES OF THE AGENT FOR WILDLIFE
21 CONTROL UNDER GUIDELINES ESTABLISHED BY THE DEPARTMENT.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 July 1, 2011.